

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

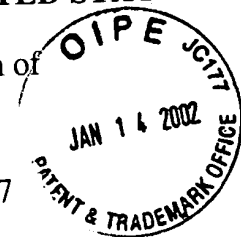
In re Patent Application of

HOSODA et al

Serial No. 09/499,027

Filed: February 7, 2000

For: SEMICONDUCTOR LASER DEVICE AND METHOD OF
MANUFACTURING THE SAME



Atty. Ref.: 900-318

Group: 2877

Examiner: Flores Ruiz

5/ Election
G. Stanley
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JAN 16 2002
TECHNOLOGY CENTER 2800

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

ELECTION UNDER 35 USC §121

In response to the Office Action dated December 5, 2001 holding the subject matter of claims 1-11 to be non-obvious and patentably distinct from that of claims 12-15,

~~71/11A/2002~~ Applicant(s) hereby elect the invention of Group I, (upon which claims 1-11 are readable) for further substantive examination.

This election is made without traverse. However, since a restriction requirement is never proper unless the restricted group of claims is patentably distinct (i.e., inter alia, non-obvious under 35 USC §103) from the elected group of claims, the Examiner is requested to insure that such patentable distinctness is present before proceeding to make the requirement final.

It is respectfully requested that the non-elected claims be retained for use with a possible divisional application.

Respectfully submitted,
NIXON & VANDERHYE P.C.

By:

H. Warren Burnam, Jr.

Reg. No. 29,366

January 14, 2002

HWB:lsH

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Adjustment date: 03/13/2002 EEKUBA71
01/18/2002 GSTANLEY 00000002 141140 09499027
01 FC:115 110.00 CR

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Title: SEMICONDUCTOR LASER DEVICE AND METHOD OF MANUFACTURING THE SAME

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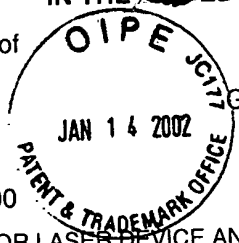
Atty Dkt. 900-318

C# M#

Group Art Unit: 2877

Examiner: Flores Ruiz, D.

Date: January 14, 2002



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Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Fees are attached as calculated below:

Total effective claims after amendment	15	minus highest number			
previously paid for	20	(at least 20) =	0	x	\$ 18.00
					\$ 0.00

Independent claims after amendment	3	minus highest number			
previously paid for	3	(at least 3) =	0	x	\$ 84.00
					\$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$740.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

Subtotal \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other:

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.

By Atty: H. Warren Burnam, Jr., Reg. No. 29,366

Signature: _____

H. Warren Burnam, Jr.